

AMENDED IN ASSEMBLY MARCH 17, 2011

AMENDED IN ASSEMBLY MARCH 14, 2011

SENATE BILL

No. 84

Introduced by Committee on Budget and Fiscal Review

January 10, 2011

An act to amend Item 0890-001-0001 of, and to add Items 0502-012-0022, 2120-011-0117, 2240-011-0101, 2240-011-0929, 2660-013-0042, 3360-011-0382, 3500-011-0100, 3500-013-3065, 3600-011-0321, 3680-011-0516, 3790-011-0263, 3940-011-0225, 3940-011-3147, 3960-011-0014, 3960-011-0018, 3960-011-0065, 3960-012-1003, 5180-011-0131, 8660-011-0470, 8660-011-3141, and 8660-012-0462 to, Section 2.00 of, and to add Section 39.00 to, the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to the support of state government, making an appropriation therefor, ~~and declaring the urgency thereof~~, to take effect immediately, Budget Bill.

LEGISLATIVE COUNSEL'S DIGEST

SB 84, as amended, Committee on Budget and Fiscal Review. Budget Act of 2010: revisions.

The Budget Act of 2010 (Chapter 712 of the Statutes of 2010) made appropriations for the support of state government during the 2010–11 fiscal year.

This bill would amend the Budget Act of 2010 by providing for the transfer of moneys from certain funds and accounts to the General Fund, as specified. This bill would amend the Budget Act of 2010 to authorize the Director of Finance to augment the appropriation for support of the Secretary of State by up to \$10,000,000 if the Secretary of State demonstrates why the funding is necessary to cover its costs for the statewide special election to be conducted before June 30, 2011, as

specified. The bill would amend the Budget Act of 2010 to specify that certain bills of the 2011–12 Regular Session are other bills providing for appropriations related to the Budget Bill, as specified.

This bill would declare that it is to take effect immediately ~~as an urgency statute and~~ as a Budget Bill.

Vote: $\frac{2}{3}$ -majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Item 0502-012-0022 is added to Section 2.00 of the Budget Act of 2010, to read:

0502-012-0022—For transfer by the Controller, upon order of the Director of Finance, from the State Emergency Telephone Number Account to the General Fund as a loan..... (28,000,000)
Provisions:

1. The Director of Finance may transfer up to \$28,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2013. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 2. Item 0890-001-0001 of Section 2.00 of the Budget Act of 2010 is amended to read:

0890-001-0001—For support of Secretary of State.....	30,158,000
Schedule:	
(1) 10-Filings and Registrations.....	47,372,000
(2) 20-Elections.....	43,224,000
(3) 30-Archives.....	10,242,000
(4) 50.01-Administration and Technology.....	23,529,000

- (5) 50.02-Distributed Administration and Technology..... -23,529,000
- (6) Reimbursements..... -7,038,000
- (7) Amount payable from the Secretary of State's Business Fees Fund (Item 0890-001-0228)..... -37,720,000
- (8) Amount payable from the Federal Trust Fund (Item 0890-001-0890)..... -24,361,000
- (9) Amount payable from the Victims of Corporate Fraud Compensation Fund (Item 0890-001-3042)..... -1,561,000

Provisions:

1. The Secretary of State may not expend any special handling fees authorized by Chapter 999 of the Statutes of 1999 which are collected in excess of the cost of administering those special handling fees unless specifically authorized by the Legislature.
2. Of the amounts appropriated in this item, \$24,361,000 shall be used for operational costs associated with implementation of the Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.).
3. Of the funds appropriated in this item, \$5,950,000 is available for preparing, printing, and mailing the state ballot pamphlet pursuant to Article 7 (commencing with Section 9080) of Chapter 1 of Division 9 of the Elections Code. Any unexpended funds pursuant to this provision shall revert to the General Fund.
4. The Director of Finance may augment this item by up to \$10,000,000 if the Secretary of State demonstrates why the funding is necessary to cover its costs for the statewide special election to be conducted before June 30, 2011. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee not more than 10 working days after the date of the approval of the adjustment.

SEC. 3. Item 2120-011-0117 is added to Section 2.00 of the Budget Act of 2010, to read:

1 2120-011-0117—For transfer by the Controller, upon order of
2 the Director of Finance, from the Alcoholic Beverage
3 Control Appeals Fund to the General Fund as a loan..... (500,000)

4 Provisions:

- 5 1. The Director of Finance may transfer up to \$500,000
6 as a loan to the General Fund, which shall be repaid
7 by June 30, 2014. The Director of Finance shall order
8 the repayment of all or a portion of this loan if he or
9 she determines that either of the following circum-
10 stances exists: (a) the fund or account from which the
11 loan was made has a need for the moneys, or (b) there
12 is no longer a need for the moneys in the fund or ac-
13 count that received the loan. This loan shall be repaid
14 with interest calculated at the rate earned by the Pooled
15 Money Investment Account at the time of the transfer.

16
17 SEC. 4. Item 2240-011-0101 is added to Section 2.00 of the
18 Budget Act of 2010, to read:

19
20 2240-011-0101—For transfer by the Controller, upon order of
21 the Director of Finance, from the School Facilities Fee
22 Assistance Fund to the General Fund..... (880,000)

23 Provisions:

- 24 1. The Director of Finance may transfer additional
25 amounts that are determined to be available.

26
27 SEC. 5. Item 2240-011-0929 is added to Section 2.00 of the
28 Budget Act of 2010, to read:

29
30 2240-011-0929—For transfer by the Controller, upon order of
31 the Director of Finance, from the Housing Rehabilitation
32 Loan Fund to the General Fund as a loan..... (18,000,000)

33 Provisions:

- 34 1. The Director of Finance may transfer up to
35 \$18,000,000 as a loan to the General Fund. The Direc-
36 tor of Finance shall order the repayment of all or a
37 portion of this loan if he or she determines that either
38 of the following circumstances exists: (a) the fund or
39 account from which the loan was made has a need for
40 the moneys, or (b) there is no longer a need for the

1 moneys in the fund or account that received the loan.
2 This loan shall be repaid with interest calculated at the
3 rate earned by the Pooled Money Investment Account
4 at the time of the transfer.
5

6 SEC. 6. Item 2660-013-0042 is added to Section 2.00 of the
7 Budget Act of 2010, to read:

8
9 2660-013-0042—For transfer by the Controller, upon order
10 of the Director of Finance, from the State Highway Ac-
11 count, Transportation Tax Fund, to the General Fund as
12 a loan..... (147,100,000)

13 Provisions:

- 14 1. The Director of Finance may transfer up to
15 \$147,100,000 as a loan to the General Fund, which
16 shall be repaid by June 30, 2014. The Director of Fi-
17 nance shall order the repayment of all or a portion of
18 this loan if he or she determines that either of the fol-
19 lowing circumstances exists: (a) the fund or account
20 from which the loan was made has a need for the
21 moneys, or (b) there is no longer a need for the moneys
22 in the fund or account that received the loan. This loan
23 shall be repaid with interest calculated at the rate
24 earned by the Pooled Money Investment Account at
25 the time of the transfer.
26 2. The Director of Finance may authorize short-term
27 cashflow loans from the General Fund to the State
28 Highway Account to provide adequate cash for costs
29 funded from that account. The total outstanding loan
30 shall not exceed \$313,000,000 at any point in time.
31 Repayment of these loans shall be made no later than
32 30 days after the date of enactment of the subsequent
33 annual Budget Act after any loan is made pursuant to
34 this section. No budgetary impact shall result from
35 these loans.
36

37 SEC. 7. Item 3360-011-0382 is added to Section 2.00 of the
38 Budget Act of 2010, to read:

1 3360-011-0382—For transfer by the Controller, upon order of
2 the Director of Finance, from the Renewable Resource
3 Trust Fund to the General Fund as a loan..... (20,000,000)

4 Provisions:

- 5 1. The Director of Finance may transfer up to
6 \$20,000,000 as a loan to the General Fund, which shall
7 be repaid by June 30, 2014. The Director of Finance
8 shall order the repayment of all or a portion of this
9 loan if he or she determines that either of the following
10 circumstances exists: (a) the fund or account from
11 which the loan was made has a need for the moneys,
12 or (b) there is no longer a need for the moneys in the
13 fund or account that received the loan. This loan shall
14 be repaid with interest calculated at the rate earned by
15 the Pooled Money Investment Account at the time of
16 the transfer.

17
18 SEC. 8. Item 3500-011-0100 is added to Section 2.00 of the
19 Budget Act of 2010, to read:

20
21 3500-011-0100—For transfer by the Controller, upon order of
22 the Director of Finance, from the California Used Oil Re-
23 cycling Fund to the General Fund as a loan..... (2,500,000)

24 Provisions:

- 25 1. The Director of Finance may transfer up to \$2,500,000
26 as a loan to the General Fund, which shall be repaid
27 by June 30, 2014. The Director of Finance shall order
28 the repayment of all or a portion of this loan if he or
29 she determines that either of the following circum-
30 stances exists: (a) the fund or account from which the
31 loan was made has a need for the moneys, or (b) there
32 is no longer a need for the moneys in the fund or ac-
33 count that received the loan. This loan shall be repaid
34 with interest calculated at the rate earned by the Pooled
35 Money Investment Account at the time of the transfer.

36
37 SEC. 9. Item 3500-013-3065 is added to Section 2.00 of the
38 Budget Act of 2010, to read:

1 3500-013-3065—For transfer by the Controller, upon order of
2 the Director of Finance, from the Electronic Waste Recov-
3 ery and Recycling Account, Integrated Waste Management
4 Fund, to the General Fund as a loan..... (27,000,000)

5 Provisions:

- 6 1. The Director of Finance may transfer up to
7 \$27,000,000 as a loan to the General Fund, which shall
8 be repaid by June 30, 2014. The Director of Finance
9 shall order the repayment of all or a portion of this
10 loan if he or she determines that either of the following
11 circumstances exists: (a) the fund or account from
12 which the loan was made has a need for the moneys,
13 or (b) there is no longer a need for the moneys in the
14 fund or account that received the loan. This loan shall
15 be repaid with interest calculated at the rate earned by
16 the Pooled Money Investment Account at the time of
17 the transfer.
18

19 SEC. 10. Item 3600-011-0321 is added to Section 2.00 of the
20 Budget Act of 2010, to read:

21
22 3600-011-0321—For transfer by the Controller, upon order of
23 the Director of Finance, from the Oil Spill Response Trust
24 Fund to the General Fund as a loan..... (40,000,000)

25 Provisions:

- 26 1. The Director of Finance may transfer up to
27 \$40,000,000 as a loan to the General Fund, which shall
28 be repaid by June 30, 2014. The Director of Finance
29 shall order the repayment of all or a portion of this
30 loan if he or she determines that any of the following
31 circumstances exists: (a) the fund or account from
32 which the loan was made has a need for the moneys,
33 (b) an event, as described in Section 8670.48 of the
34 Government Code, has occurred and necessary re-
35 sponse funds are needed, or (c) there is no longer a
36 need for the moneys in the fund or account that re-
37 ceived the loan. This loan shall be repaid with interest
38 calculated at the rate earned by the Pooled Money In-
39 vestment Account at the time of the transfer.
40

1 SEC. 11. Item 3680-011-0516 is added to Section 2.00 of the
2 Budget Act of 2010, to read:

3
4 3680-011-0516—For transfer by the Controller, upon order of
5 the Director of Finance, from the Harbors and Watercraft
6 Revolving Fund to the General Fund as a loan..... (17,000,000)

7 Provisions:

- 8 1. The Director of Finance may transfer up to
9 \$17,000,000 as a loan to the General Fund, which shall
10 be repaid by June 30, 2014. The Director of Finance
11 shall order the repayment of all or a portion of this
12 loan if he or she determines that any of the following
13 circumstances exists: (a) the fund or account from
14 which the loan was made has a need for the moneys,
15 or (b) there is no longer a need for the moneys in the
16 fund or account that received the loan. This loan shall
17 be repaid with interest calculated at the rate earned by
18 the Pooled Money Investment Account at the time of
19 the transfer.
20

21 SEC. 12. Item 3790-011-0263 is added to Section 2.00 of the
22 Budget Act of 2010, to read:

23
24 3790-011-0263—For transfer by the Controller, upon order of
25 the Director of Finance, from the Off-Highway Vehicle
26 Trust Fund to the General Fund as a loan..... (21,000,000)

27 Provisions:

- 28 1. The Director of Finance may transfer up to
29 \$21,000,000 as a loan to the General Fund, which shall
30 be repaid by June 30, 2014. The Director of Finance
31 shall order the repayment of all or a portion of this
32 loan if he or she determines that either of the following
33 circumstances exists: (a) the fund or account from
34 which the loan was made has a need for the moneys,
35 or (b) there is no longer a need for the moneys in the
36 fund or account that received the loan. This loan shall
37 be repaid with interest calculated at the rate earned by
38 the Pooled Money Investment Account at the time of
39 the transfer.
40

SEC. 13. Item 3940-011-0225 is added to Section 2.00 of the Budget Act of 2010, to read:

3940-011-0225—For transfer by the Controller, upon order of the Director of Finance, from the Environmental Protection Trust Fund to the General Fund..... (1,175,000)

Provisions:

1. Notwithstanding Section 25270.11 of the Health and Safety Code, the Director of Finance may transfer \$1,175,000 from the Environmental Protection Trust Fund to the General Fund.

SEC. 14. Item 3940-011-3147 is added to Section 2.00 of the Budget Act of 2010, to read:

3940-011-3147—For transfer by the Controller, upon order of the Director of Finance, from the State Water Pollution Control Revolving Fund Small Community Grant Fund to the General Fund as a loan..... (3,000,000)

Provisions:

1. The Director of Finance may transfer up to \$3,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 15. Item 3960-011-0014 is added to Section 2.00 of the Budget Act of 2010, to read:

3960-011-0014—For transfer by the Controller, upon order of the Director of Finance, from the Hazardous Waste Control Account to the General Fund as a loan..... (13,000,000)

Provisions:

1. The Director of Finance may transfer up to \$13,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 16. Item 3960-011-0018 is added to Section 2.00 of the Budget Act of 2010, to read:

3960-011-0018—For transfer by the Controller, upon order of the Director of Finance, from the Site Remediation Account to the General Fund as a loan..... (1,000,000)

Provisions:

1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 17. Item 3960-011-0065 is added to Section 2.00 of the Budget Act of 2010, to read:

3960-011-0065—For transfer by the Controller, upon order of the Director of Finance, from the Illegal Drug Lab Cleanup Account to the General Fund as a loan..... (1,000,000)

Provisions:

1. The Director of Finance may transfer up to \$1,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 18. Item 3960-012-1003 is added to Section 2.00 of the Budget Act of 2010, to read:

3960-012-1003—For transfer by the Controller, upon order of the Director of Finance, from the Cleanup Loans and Environmental Assistance to Neighborhoods Account to the General Fund as a loan..... (500,000)

Provisions:

1. The Director of Finance may transfer up to \$500,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 19. Item 5180-011-0131 is added to Section 2.00 of the Budget Act of 2010, to read:

5180-011-0131—For transfer by the Controller, upon order of the Director of Finance, from the Foster Family Home and Small Family Home Insurance Fund to the General Fund.... (3,000,000)

1 SEC. 20. Item 8660-011-0470 is added to Section 2.00 of the
2 Budget Act of 2010, to read:

3
4 8660-011-0470—For transfer by the Controller, upon order
5 of the Director of Finance, from the California High-Cost
6 Fund-B Administrative Committee Fund to the General
7 Fund as a loan..... (100,000,000)
8 Provisions:

- 9 1. The Director of Finance may transfer up to
10 \$100,000,000 as a loan to the General Fund, which
11 shall be repaid by June 30, 2014. The Director of Fi-
12 nance shall order the repayment of all or a portion of
13 this loan if he or she determines that either of the fol-
14 lowing circumstances exists: (a) the fund or account
15 from which the loan was made has a need for the
16 moneys, or (b) there is no longer a need for the moneys
17 in the fund or account that received the loan. This loan
18 shall be repaid with interest calculated at the rate
19 earned by the Pooled Money Investment Account at
20 the time of the transfer.

21
22 SEC. 21. Item 8660-011-3141 is added to Section 2.00 of the
23 Budget Act of 2010, to read:

24
25 8660-011-3141—For transfer by the Controller, upon order of
26 the Director of Finance, from the California Advanced
27 Services Fund to the General Fund as a loan..... (75,000,000)
28 Provisions:

- 29 1. The Director of Finance may transfer up to
30 \$75,000,000 as a loan to the General Fund, which shall
31 be repaid by June 30, 2014. The Director of Finance
32 shall order the repayment of all or a portion of this
33 loan if he or she determines that either of the following
34 circumstances exists: (a) the fund or account from
35 which the loan was made has a need for the moneys,
36 or (b) there is no longer a need for the moneys in the
37 fund or account that received the loan. This loan shall
38 be repaid with interest calculated at the rate earned by
39 the Pooled Money Investment Account at the time of
40 the transfer.

SEC. 22. Item 8660-012-0462 is added to Section 2.00 of the Budget Act of 2010, to read:

8660-012-0462—For transfer by the Controller, upon order of the Director of Finance, from the Public Utilities Commission Utilities Reimbursement Account to the General Fund as a loan..... (25,000,000)

Provisions:

1. The Director of Finance may transfer up to \$25,000,000 as a loan to the General Fund, which shall be repaid by June 30, 2014. The Director of Finance shall order the repayment of all or a portion of this loan if he or she determines that either of the following circumstances exists: (a) the fund or account from which the loan was made has a need for the moneys, or (b) there is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 23. Section 39.00 is added to the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), to read:

Sec. 39.00. The Legislature hereby finds and declares that the following bills of the 2011–12 Regular Session are other bills providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution: AB 93, AB 94, AB 95, AB 96, AB 97, AB 98, AB 99, AB 100, AB 101, AB 102, AB 103, AB 104, AB 105, AB 106, AB 107, AB 108, AB 109, AB 110, AB 111, AB 112, AB 113, AB 114, AB 115, AB 116, AB 117, AB 118, AB 119, AB 120, AB 121, AB 122, SB 70, SB 71, SB 72, SB 73, SB 74, SB 75, SB 76, SB 77, SB 78, SB 79, SB 80, SB 81, SB 82, SB 83, SB 84, SB 85, SB 86, SB 87, SB 89, SB 90, SB 91, SB 92, SB 93, SB 94, SB 95, SB 96, SB 97, SB 98, and SB 99.

SEC. 24. This act is a Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution and shall take effect immediately.

1 ~~SEC. 25. This act is an urgency statute necessary for the~~
2 ~~immediate preservation of the public peace, health, or safety within~~
3 ~~the meaning of Article IV of the Constitution and shall go into~~
4 ~~immediate effect. The facts constituting the necessity are:~~

5 ~~In order to make necessary changes to the Budget Act of 2010~~
6 ~~at the earliest possible time in light of the fiscal condition of the~~
7 ~~state, it is necessary that this act take effect immediately.~~

8
9 _____

10 CORRECTIONS:

11 Text—Page 1.

12 Digest—Vote Key.